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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,

Defendant.

**[PROPOSED] ORDER GRANTING
FIFTH AMENDED SCHEDULING
ORDER**

Civil No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell

Magistrate Judge Dustin B. Pead

The Court having read and considered the stipulated Fifth Amended Scheduling Order, and for good cause shown, hereby ORDERS that the following matters are scheduled and may not be changed without Court approval:

Date per Fourth Amended Scheduling Order (ECF 184)	Stipulated New Date	Event
September 13, 2024	November 13, 2024	Rule 26(a)(2) Expert disclosures (subject and identity of experts) – parties bearing the burden of proof

Date per Fourth Amended Scheduling Order (ECF 184)	Stipulated New Date	Event
September 27, 2024	November 20, 2024	Close of fact discovery
September 27, 2024	November 20, 2024	Rule 26(a)(2) Expert disclosures (subject and identity of experts) – counter disclosures
October 18, 2024	December 18, 2024	Rule 26(a)(2) Expert Reports – parties bearing burden of proof
December 9, 2024	February 10, 2025	Rule 26(a)(2) Expert Reports – counter reports
January 16, 2025	March 20, 2025	Last day for expert discovery
February 14, 2025	April 18, 2025	Deadline for filing dispositive or potentially dispositive motions including <i>Daubert</i> motions to exclude expert testimony
February 21, 2025	April 25, 2025	Evaluate case for settlement/ADR

If dispositive motions are filed and the district judge's ruling on those motions does not resolve the case, the parties shall file a request for a scheduling conference with the district judge for the purpose of setting a trial date no later than one week after the ruling on the dispositive motions.

All other provisions of the prior Scheduling Orders entered in this case (ECF No. 25, ECF No. 28, ECF No. 35, ECF No. 90, and ECF No. 184) not modified above shall remain the same.

DATED: _____, 2024,

BY THE COURT:

U.S. Magistrate Judge Dustin B. Pead